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***“Professionalization vs. Deprofessionalization: Building
Standards for Legal Translators and Interpreters”***

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TRANSLATING EUROPE

WORKSHOP

Irena Gizdavčić Plohl: Challenges in the Education and Appointment of Court Interpreters

Translation industry is facing the challenges of a globalized market, through growing pressure on rates and standards for the provision of translating and interpreting services. The essential competitive advantage can only be reached by providing the best quality service for which continued training and networking of translators and interpreters are required. Best practices should be shared among peers in order to reach the common goal of setting international standards for the education and training of translation professionals. In view of Croatia's admission to the EU, it may be expected that the demand for services of court-appointed interpreters and translators will be growing with the increased mobility of goods, services, workforce and students. The need for a structured approach to education, training and appointing of court interpreters and translators is now clearer than ever. The European Directive 2010/64/EU provides guidelines for the member states focusing on the involvement of interpreters in criminal proceedings. However, the expertise in legal interpreting and translating is only a fraction of the competences required from a court-appointed interpreter and translator, normally dealing with official documents originating from various other settings - finance and commerce, technology, administration, medicine, education, etc.

ACIT has been granted permission by the MoJ to provide training for future court interpreters as a prerequisite for acquiring their licences. Since 2006, approximately 400 court-appointed interpreters in Croatia have been trained by experienced ACIT members. Nevertheless, there is still vast room for improvement in the area of professional training of court interpreters, but also in the area of public recognition of professional standing of court-appointed interpreters and translators.

Keywords: *translating and interpreting services, translation professionals, continued training, best practices, peers, international standards, court interpreting, directive, court interpreter's competences*

Alenka Kocbek: Legal Translation – an Interdisciplinary Perspective

The paper presents a targeted model for translating legal texts developed by drawing on the findings of different disciplines – from translation studies and contrastive discourse analysis to comparative law and legal linguistics. It follows in large traits Snell Hornby's integrated approach to translation and adopts the functionalist view stressing the importance of the *skopos*, i.e. the intended function of the target text. Given their cultural embeddedness, it suggests viewing legal texts as *culturemes*, i.e. culturally conditioned patterns of communicative behaviour according to Oksaar, which have an extra-linguistic dimension (reflecting the area of culture affecting the text, i.e. in the case of legal texts the corresponding legal system/culture) and an intricate linguistic structure. It thus proposes to observe the *cultureme* in its various dimensions to identify its specific features shaped by established cultural practices (*memes* according to Chesterman) and resulting in the *memetic structure* of the text. The model is meant to direct the translation process through a sequence of phases - from the initial stages in which the *skopos* of the target text and the translation strategy best suiting it are determined, followed by the establishing of the legal systems involved in translation and evaluating their (un)relatedness in the perspective of comparative law, as well as the affinity of the corresponding legal languages. In the next phases, a cultureme-oriented contrastive analysis of the source text and (a corpus of) parallel target culture texts is carried out to identify their *memetic structures*, i.e. their macro-structure (contents and consequently extent of the text as required by/customary in a given legal culture) and micro-structure (i.e. lexical, syntactic, pragmatic, stylistic features). These structures are then compared to map their common traits, as well as to determine their divergences. In finalising the target text, the findings of the contrastive analysis are applied (by combining the elements of both the source and target cultureme) to best comply with the *skopos*.

The multifaceted competences and skills underlying this model reflect the requirements which legal translators and interpreters need to comply with in their work and which should thus be incorporated in their training and assessed in the examinations for their appointing.

Keywords: *legal translation, cultureme, memetic structure, skopos, comparative law*

Andreja Pignar Tomanič: Challenges in Teaching and Translating Legal Texts with Students

The principal objectives of the course in legal and political German translation offered to postgraduate (MA) students of the single-subject Translation and Interpreting programme at the University of Maribor's Faculty of Arts are to promote an underlying general linguistic competence and to advance the specific subject-related competencies.

The article begins by setting out a theoretical framework of legal translation which is utilised by the author in her translation classes; it continues with a brief description of both students' individual work as well as their in-class activities during regular contact hours, which are designed with the overall objective of achieving the strongest learning effect possible. In her translation tutorials, the author uses a three-level interdisciplinary approach which incorporates the following stages: (1) understanding of the ST by way of its linguistic and discourse analyses and legal interpretation; (2) assignment of functions to ST legal remedies and their assessment in terms of their comparability/translatability into the TT; and, finally, (3), ST transfer into the target language while considering the TT function(s), recipients and context.

In conclusion, the author summarizes the main outcomes of her hitherto activities, particularly by making reference to the students' past individual seminar assignments, with the aim to identify and present prospective new approaches to legal translation.

Keywords: *course in legal and political German translation , law language, law system, term and data base, skopos theory, postgraduate (MA) students*

Sandrine Peraldi: Trans-European Voluntary Certification for Translators

Recent technological advancement and rapid globalisation have prompted academics and professionals to address the issue of translator education delivering now advanced and innovative education at tertiary level (EMT, etc.). However, the highest standards of quality and professional relevance also need to be maintained in vocational training.

Yet, an EU-wide agreed translator certification and an international accreditation body are still missing. This need is currently addressed by the TRANSCERT project, whose purpose is to provide continuing professional development and a Trans-European certification for translators in order to promote competitiveness, increase employability and ensure sustainability.

This communication presents TRANSCERT's latest developments and challenges, focusing more particularly on the ECQA-based training/assessment/examination scheme developed by the members of the Consortium.

Keywords: *specialised translation, voluntary certification, continuing professional development, skill card, training scheme*

TRAINING OF LEGAL TRANSLATORS AND INTERPRETERS

Maja Brala-Vukanović: Theory and / or Practice in Translator's Curricula. A Comparative-contrastive View from Rijeka and Trieste

The paper offers a comparative – contrastive view of the central curricular elements developed within the postgraduate translator's programmes at the Universities of Rijeka (Croatia) and Trieste (Italy).

Given that the former programme puts more emphasis on the theoretical, and the latter programme on the practical segments of training, the paper also proposes an insight into the question of theoretical vs. practical elements and approaches in translator's curricula. The issue under scrutiny is observed both from what is currently generally accepted as the leading methodological approaches for developing (legal) translation competence (e.g. Integrative Process-Oriented Approach, see Prieto-Ramos, 2011), as well as from what we have learned from the students' feedback forms following their completion of the postgraduate programmes in translation at Rijeka and Trieste.

Keywords: *postgraduate translator's curricula; translation (studies) theory vs. practical training; translators' competence*

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Prieto-Ramos, F. (2011). 'Developing Legal Translation Competence: An Integrative Process-Oriented Approach'. [Comparative Legilinguistics - International Journal for Legal Communication](#). Vol. 5, p. 7-21.

Goranka Antunović and Irena Gizdavić Pohl: Legal Translator Training at Croatian Universities – between Wishes and Reality

A closer look at the status of legal translation in Croatia reveals a number of puzzling circumstances: court translators, normally associated with it, do not work solely in or for courts nor do they necessarily practise legal translation; other translators do practise it, without being called either "court" or "legal translators"; while legal translation is significant in both quantitative and qualitative terms, the training provided for it – if provided at all – is neither systematic nor comprehensive, and it tends to be highly circumstantial. In the context of a growing awareness of the need for improvement, the authors will turn to practising translators to establish what they see as desirable specific contents of legal translator training; on the other hand, they will try to determine what position is granted to legal translation in the curricula of the relevant courses offered at Croatian universities. About 150 translators will be asked to answer a questionnaire primarily aimed at establishing what kind of knowledge they have had to acquire on their own, following their university education. An attempt will be made to contact translators who are likely to be involved in legal translation (e.g. members of the ACIT, staff translators at the Croatian Ministry of foreign and European affairs), and they will be asked to provide an estimate of the volume of legal translation that they do. The information on university curricula will be obtained from teachers involved in translator training at the faculties of humanities and in foreign language courses at law faculties in Croatia.

Keywords: *translator training, translator competences, legal translator, university courses in translation*

Miodrag M. Vukčević: Education of LT/ General Translators in Serbia and Keeping Track of New Developments

In view of upcoming Serbian accession negotiations with the EU it was to be expected that the field of translation services would become more important. New content, terminological innovations would have to redefine social processes and thus provide a basis for social progress. Meanwhile, formal educational structures that educate translators, train them professionally so that they could be deployed accordingly, failed to materialize. New terms which are introduced by representatives of public administration are often misunderstood by subject-matter experts. This raises the question of how new content is being introduced. This raises the question of how new content is being introduced. While certainly there are institutions that deal with educational matters in law, legislation and translation, a purposeful training of translators lacks any structure. Only looking at the past causes satisfaction whereas the current situation is marked mainly by modest attempts at incorporating the profession. This article addresses the question of whether merely public administration structures are predestined to summarize conceptual categories terminologically.

Keywords: *education, EU accession negotiations of Serbia, legal translators, legislation, public administration, terminological database, training of translators, translation, translation services*

Ljubica Kordić: Education of Lawyer Linguists within the Lifelong Education Programme at the Law Faculty of Osijek

The author describes courses in legal translation organized within the Lifelong Education Programme for Lawyer Linguists at the Law Faculty of Osijek since 2012. The courses in legal translation and EU-Law are taught to lawyers aspiring to work as legal translators within EU- bodies, institutions and international firms operating on the EU-market. The author offers description of specific courses within the Programme and their specific contents. Special attention is paid to the course Introduction into Legal Translation and Legal Terminology, especially to issues concerning differences between legal systems, legal concepts and other cultural elements, as well as some other problematic issues that translators should be aware of when dealing with legal texts. The author will present some theoretical and practical aspects of legal translation and some specific experiences concerning course design in legal translation from teacher's perspective.

Keywords: *lawyer-linguists, lifelong learning, course design, legal translation, legal terminology*

Miljen Matijašević and Lelija Sočanac: The Centre for Language and Law, Zagreb. Training of Legal Translators

The Centre for Language and Law was established as an organisational unit of the Faculty of Law (Zagreb) in 2007 within the framework of the Tempus project “Foreign Languages in the Field of Law” (2006-2009). It is intended to bring together scholars with an interest in the interface between language and law, to provide a platform for interdisciplinary interaction, to explore opportunities for collaboration in the field both on the national and international levels, and to disseminate the results of curriculum development and research projects. The paper will present projects and activities of the Centre, focusing on training programmes for legal translators. The curriculum of the training programme for prospective lawyer-linguists will be presented, as well as the legal translation courses developed within the framework of lifelong learning. The authors will also discuss some problems of legal translation with a particular regard to the *skopos* theory approach, and with a special emphasis on the practical implications of these problems to legal translation instruction.

Keywords: *legal translation, teaching legal translation, education of lawyer linguists*

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Irena Gizdavčić Plohl and Vesna Cigan: Court Appointed Interpreters and Translators within the Broader Context of Legal Translators Community

The aim of the presentation is to present recent developments and current situation in the Republic of Croatia related to the education and the procedure of appointment of court interpreters and translators. Although commonly perceived as legal translators, court interpreters' work is by far not restricted to legal settings only. On the contrary, court interpreters and translators are required to possess expertise in various fields. The expertise in legal interpreting and translating is only a fraction of the competences required from a court-appointed interpreter and translator, normally dealing with official documents originating from various other settings - finance and commerce, technology, administration, medicine, education, etc. On the other hand, the usual everyday work of a court interpreter and translator does not necessarily include translations of complex legal texts such as laws and international treaties. So, the need for a well-balanced and structured approach to education and training of court interpreters in Croatia still persists, in spite of the fact that a lot of progress has been made in this area over the past decade. There is still vast room for improvement in the area of professional training of court interpreters, but also in the area of public recognition of professional standing of court-appointed interpreters and translators. Translation industry is facing the challenges of a globalized market, through growing pressure on rates and standards for the provision of translating and interpreting services. Naturally, court-appointed interpreters and translators are also affected by market trends. Although their fees are determined by the MoJ Regulations, market pressure makes it increasingly difficult to maintain reasonable levels of compensation for the required high standard of service.

Keywords: *translating and interpreting services, legal translation, continued training, translation services standards, court interpreting, court interpreter's competences*

COURT INTERPRETING

Zoi Resta and Anastasios Ioannidis: A Sociological Approach of the Professionalization Process of Court Interpreting in Greece

In search of a theoretical framework for mapping the situation of court interpreting in Greece, we decided to adopt the sociological model of Joseph Tseng. In it, Tseng studies the professional development of interpreting in Taiwan and the process of interpreters' professionalization in general. He describes the attempt of an occupational group to struggle for professional status in four phases; from the starting point of *Market Disorder* until the last stage of *Professional Autonomy*. Within this framework, Tseng highlights the major role of the country's training institutions, professional associations, market demand and political persuasion for the professionalization process of interpreting.

In order to use Tseng's model for describing the situation of court interpreting in Greece and to detect the phase in which this market can sociologically be placed at the moment, we decided to conduct a questionnaire-based research with Greek judges, public and private educational institutions and translation agencies, addressing the following issues: certification, training and code of ethics (if any), roles and tasks of court interpreters, professional association, market demand, sensitization of the public and other stakeholders. In our announcement we will present the results of our survey regarding the current professional status of court interpreters in Greece and we will suggest the necessary amendments in order to "professionalize" this field.

Keywords: *court interpreting, Greece, professionalization*

Christopher John Garwood and Isabella Preziosi: Bringing Whispered Interpreting into Italy's Courts

Italy has no system of certification or accreditation for the “interpreters” currently working in Italy’s courts. At best these people are often just bilinguals, with no training in interpreting, let alone court interpreting. However conscientious and able they may be, the interpretation they provide is rarely of “a quality sufficient to safeguard the fairness of the proceedings”, as required by Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings. Often they do not even know the basic interpreting techniques used in court, with whispered interpreting almost totally unheard of in Italy's courts. Without this technique it is impossible that “suspected or accused persons have knowledge of the case against them and are able to exercise their right of defence”, a situation that had already been highlighted by the Italian Constitutional Court. This paper provides a model of how Italy can realistically improve the quality of its court interpreters in the short term, adopting best practices developed in other countries, with a special emphasis on activities aimed at developing the whispered interpreting technique among today's court interpreters in multilingual classes.

Keywords: *whispered interpreting, Directive 2010/64/EU, right of defence, training*

Alice Hamilton: Comparative Research of the EU Agency for Fundamental Rights on the Right to Interpretation and Translation and the Right to Information in Criminal Proceedings in the EU

The presentation focuses on FRA's project: "The right to interpretation and translation and the right to information in criminal proceedings in the EU (INFOCRIM)".¹

The project will present promising practices and opportunities in the application of the rights to interpretation, translation and information in criminal proceedings and the fundamental rights implications for persons concerned across the EU. FRA will do this by collecting and analysing data from the 28 EU Member States (desk research), in addition to a number of (mainly phone) interviews with organisations and/or practitioners working in relevant fields - such as judges, lawyers, interpreters and translators or civil society organisations active in the field of legal assistance in criminal proceedings - to cross-check findings with respect to the way in which the examined rights are applied in practice.

The project specifically relates to Directive 2010/64/EU of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings and Directive 2012/13/EU of the European Parliament and of the Council of 22 May 2012 on the right of suspect or accused persons to information in criminal proceedings. These directives contribute to the proper functioning of judicial cooperation within the EU by providing for common standards of protection of specific procedural rights. These rights give suspected or accused persons the possibility to follow and actively participate in judicial cross-border proceedings, in accordance with existing international standards and guarantees; in particular those relating to the right to a fair trial arising from Article 47 of the Charter of Fundamental Rights of the European Union and Article 6 of the European Convention on Human Rights. By 2015, Member States should have transposed the two directives into national law.

Members of EULITA are those that deal with above issues in practice and therefore through our presentation we hope to be able to collect feedback from conference participants which we could then include/reflect in our research analysis and recommendations.

Keywords: *the right to interpretation and translation, fundamental rights, EU Member States, EU Directive, criminal proceedings, promising practices and opportunities, comparative research, EU Agency for Fundamental Rights*

¹ See also FRA, Annual Work Programme 2015 available here (p.43): http://fra.europa.eu/sites/default/files/annual_work_programme_2015.pdf

Liese Katschinka: An ISO Standard for Interpreting Services in Judicial Settings

ISO committees have worked on international standards covering interpreting and translation services for some time. EULITA (European Legal Interpreters and Translators Association) therefore considered it appropriate to propose a new work item on interpreting services in judicial settings in order to support the transposition of Directive 2010/64 EU on the right to interpretation and translation in criminal proceedings. As the Directive calls on EU member states to establish national registers of qualified legal interpreters and translators, such a standard can contribute towards developing a more harmonized level of language services which are needed by police authorities, courts and other judicial stakeholders. In particular, admission criteria can be defined that will ensure a high quality of the interpreting services, as required for fair and effective proceedings. This will support the trend towards professionalization of the legal interpreting and translation profession and counteract the trend towards calling of less qualified persons which can be noticed in several EU member states.

Keywords: *ISO standard, Directive 2010/64/EU, judicial settings, legal interpreters and translators, professionalization, judicial stakeholders*

Špela Kutin and Irena Ivelja: Challenges of the Court Interpreter Division within the Association of Translators and Interpreters of Slovenia in the light of the implementation of *Directive 2010/64/EU*

In the first part the presentation will address the challenges faced by the Court Interpreter Division of the newly founded Association of Translators and Interpreters of Slovenia, an independent professional organization. Division members are all certified court interpreters appointed by the Minister of Justice who are bound by the provisions of the democratically adopted Code of Professional Ethics. The Division's main challenge is to identify the needs of court interpreters and to support the interests of its members at the national and international level.

In order to further meet the requirements of the *Directive 2010/64/EU*, the Division raises awareness of the significance of good quality language services in legal settings in Slovenia. The paper highlights the Division's fostering good relations between its members and the users of their services, promoting close cooperation with academic institutions, providing a forum for members on matters relating to their profession, as well as researching legal terminology and building specialized glossaries to be included into the newly established website.

The second part will focus on the Division's CPD program aimed at improving the professional competence of the legal T&I community. The Division thus contributes to higher quality of court interpreting and legal translation and helps build the standards of the profession.

Experience with organizing CPD courses will be outlined, emphasizing the interaction with participants (introductory survey, briefing of the lecturers, questionnaires for each seminar and other feedback from the participants etc.). The conclusion is that, in addition to the interaction with participants of CPD courses and the users of legal T/I services, a prerequisite for a good CPD program is that it is managed by experienced court interpreters.

Keywords: *Court Interpreter Division, Association of Translators and Interpreters of Slovenia, Code of Professional Ethics, professional competence, CPD seminars, building standards for legal T & I*

TRANSLATION OF DOCUMENTS

Radegundis Stolze: Principles of Document Translation

Documents are texts containing information that gives evidence for a social situation or the expression of a person's will. Such texts are prominent in the field of legal activity and there are various text types such as personal documents, contracts, court sentences, laws and legal rules, certificates, receipts, private agreements etc.

All texts are valid as to their content, and translation must be as precise as possible. Sometimes translation is only an accessory text used to facilitate understanding. In the case of official EU texts, however, translation is even considered to be the second original with identical content.

Legal translators should learn to apply a dual perspective towards such texts: looking both at the linguistic form and at the content. Certain legal aspects are reflected in the signs on textual level, but an analysis of linguistic signs will not render their full meaning. Comprehension of such texts is based on relevant knowledge.

The presentation will discuss aspects of the legal background that constitutes the cultural horizon, of the specific meaning of legal terms in the discourse field, of procedural aspects reflected in the formal style of texts. Translators will have to flexibly integrate all different aspects in order to see the specific issue of a text presented for translation.

A didactic model for the translational approach to legal texts will be explained.

Keywords: *document translation, text type, legal translator, comprehension, knowledge, legal term, legal text*

Katja Dobrić Basanež and Marina Peršurić Antonić: Corpus-based Research in the Translation of Contracts and Powers of Attorney

Although the word “phrase” is defined by Stubbs as “a longer unit of at least a few words in length” (Stubbs 2002: 24), many scholars dealing with phraseological units both in general-purpose (LGP) and special-purpose (LSP) language have not managed to go beyond two-word combinations, thereby neglecting important additional elements of a phraseological unit and excluding what Sinclair calls “extended units of meaning” (Sinclair 2004: 24). Dictionaries also differ greatly depending on the amount of the multi-word units they include (Stubbs 2002). This presentation will, therefore, contrastively investigate a format of phraseological units in the English and Croatian corpora of contracts and powers of attorney. The corpora will be investigated by means of *WordSmith Tools 6.0*. (Scott 2011) and *SketchEngine* (Kilgarriff 2014). The aim of this presentation is to suggest that by analysing the extended units of meaning found in these text types one can get a better insight into a naturally sounding language of these documents.

Keywords: *contracts, extended units of meaning, legal phraseology, legal translation, powers of attorney, special-purpose dictionaries*

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Hanaa Beldjerd: The Importance of the International Aspect in the Translation of the United Nations Charter into Arabic

The translation of Public International Law, particularly the United Nations Charter into Arabic, follows the fundamental principles of translation in general and of legal translation in particular. This legal translation is characterized by certain problems which stem from the nature of the UN Charter. This corpus does not only have a normative character, but is also characterized by its international nature. If the normative character is usually at the heart of legal translation, what could be at the centre of translating the international nature of the UN Charter into Arabic?

It must be admitted that the normative aspect is part and parcel of the language of law. That is why the translator takes into account this aspect when he/she transfers texts from one language to another. However, in our corpus, the international nature plays a prominent role in the meaning of the UN Charter. Such a study should provide the translator with new tools in translating such text types.

Keywords: *Public International Law, International Aspect, United Nations Charter, legal translation, Arabic*

EU TRANSLATION

Milica Gačić: Translation for Achieving Equal Authenticity of EU Legal Acts

EU law, as a developing product of different legal systems, expressed through different linguistic systems, requires continuous research and review of its subject matter and of the use of its official languages for the purposes of improvement of the EU legal system itself, and for achieving precision of those linguistic means through which it is expressed. The dynamism of change and of developing new concepts, and of monitoring, checking and questioning of concepts already in use, should be a continually present task of lawyers and of linguists, in order to showcase, discuss and obtain their clear linguistic rendering. Among methods used to invigorate that process are the methods of multilingual contrastive analysis approach to the legal content of acts, on the one hand, and to their linguistic expression, on the other hand. Only clear legal concepts, expressed by well-defined terminology used in legal acts, may provide ground for furthering and achieving equal authenticity in different official languages. Results of such an analysis exemplifying the above points, taking into account issues of polysemy, synonymy and equivalence, both on the lexical and syntactical levels of some of the EU languages (Croatian, English, French and German), will be given.

Keywords: *translation, legal acts, equal authenticity, multilingual contrastive analysis, terminology*

Emilia Mišćenić: Legal Translation vs. Legal Certainty. Issues of Legal Translation in Legal Approximation and Application of EU Law

This paper primarily deals with numerous and different challenges of legal translation in the process of legal approximation of the MS laws with the EU law. By using practical examples, the author demonstrates how and to what extent legal translation affects conceptual understanding of legal texts. Mistranslations of the EU *acquis* into different MS languages, problems with translation during MS accession negotiations, translation errors in language versions of directives, regulations, CJEU judgments and other sources of EU law published in the Official Journal of the European Union, different conceptual understanding and legal application of legal expressions arising from the EU *acquis* in the MS, different meanings of the “same” linguistic EU and MS legal terms etc., are only some of the issues in which language and law collide. Incorrect use of language in this context often leads to incorrect application of law and to serious legal consequences, thus bringing legal certainty seriously in question. This is why one should continue to raise the already existing awareness among both linguists and lawyers of the implications of these issues in legal practice and of the importance of the role of language in law in general.

Keywords: *legal translation of the EU acquis, legal harmonization and approximation, transposition of EU directives, legal certainty, legal application of EU law*

Sandra Winkler: Multilingualism and Legal Terminology - some Difficulties on the Way of the Europeanization of Law

The process of Europeanization of law depends on the knowledge of foreign legal systems. It allows the so called “common core solutions”, in absence of which better legal solutions come into play. The comparative method represents the fundamental instrument for acquiring real knowledge about foreign legal systems. Models of different legal systems are indispensable to harmonization and/or unification efforts. Furthermore, in order to acquire real knowledge about a foreign legal order, one has to be familiar with the foreign language used therein. In other words, the knowledge of law is closely connected to the knowledge of foreign languages. The European multicultural and multilingual community represents prosperity of our legal culture, but at the same time also a problem. Even though the European Union has twenty-four official languages, often only one or few of them are in use due to the necessity to communicate easily.. Usually it is the so-called “English from Brussels” and it causes problems when it is used for the purpose of defining concepts unknown in common-law system. Further problems arise when these legal provisions are to be translated from English into all other European languages. This mechanism causes serious problems in communication. One will not necessarily use the same legal term in order to provide an accurate rendering of meaning of the same legal concept in different languages. Therefore, proper translation is of high importance: lawyers have to think in different languages, while interpreters have to realize that legal translation includes both excellent translation skills and proper interpretation of law.

The aim of this presentation is to offer some practical examples pinpointing translation problems when applying translated legal terms in domestic law. The author will try to point out some *legal irritants* with respect to English, Italian, Spanish and French.

Keywords: *Europeanization of law, translation, legal terminology, legal irritants, legal interpretation, language*

Ivana Kunda: Lost in Translating EU Laws - the Case of Private International Law

Problems with translating European Union legal instruments into the Croatian language became apparent long before the Croatian accession thereto. The same problems seem to have continued even after the EU has assumed the responsibility for this task. This paper will examine Croatian versions of several private international law instruments, including the Brussels II bis Regulation, the Rome I Regulation and the Rome II Regulation. The aim is to point to the classical errors made in the course of translation, predominantly owed to the fact that the translator relied on the English text only, without having consulted other language versions of the respective legal instruments. In law more than any other area, it is particularly problematic to translate the texts written in English due to the intrinsic conceptual and structural differences in the common law and civil law legal systems.

Keywords: *European Union, legal translation, private international law*

SAFETY ISSUES FOR COURT INTERPRETERS

Mira Kadrić: Interpreters in the Public Eye – Building Networks of Trust

The status and image of translating and interpreting as a profession is shaped by a range of social and cultural factors. Although image does not reflect the real world but situates it in its own discursive contexts, image and status always create meanings and identities – and thus influences the public perception of a profession. Translators and interpreters have always been mistrusted for being in a position of control and wielding power that is normally not subject to immediate checks. After all, an objective evaluation of professional services cannot be undertaken by society but requires the application of certain knowledge and methods. Translation and interpretation are normally not an issue and therefore receive attention only when there are noticeable problems. These include examples of difficult or “deviant” translations, or interpreting situations in which failure was averted “by a hair’s breadth”. A positive assessment of translation and interpretation in society is usually expressed in statements like “a congenial translation”, “reads like the original” or “the interpreter got the speech across very well”. The reason why translators and interpreters are constantly exposed to criticism is the fact that they are, in principle, viewed as a distorting factor in the communication: not rarely are they seen as a necessary but, at the same time, less than ideal instrument of communication. Therefore, an important and meaningful component of the translating and interpreting professions is their image, and the presentation will concentrate on the question of the social positioning and the visualization of the translating and interpreting professions. Among the more revealing of these is the portrayal of interpreters in court.

Keywords: *image, self-image, public perception, trust, translational culture*

Sue Leschen: Ssh...Confidentiality issues for Freelance Interpreters and Translators

Confidentiality is an increasingly fraught issue for freelancers and/ or for our clients so this session will firstly consider definitions of "confidentiality" and secondly guidance (if any) to be found in the Codes of Practice of some of our professional organisations in the UK (ITI and CIOL) as well as others elsewhere in Europe.

We will consider the standard terms and conditions that our clients (corporate and otherwise) attempt to impose on us as regards confidentiality - in particular by means of Non- Disclosure Agreements (NDA's). Are they worth the paper they are written on? Should we obey instructions to destroy any confidential material? What about our own disclaimer notices on our email communications and so on?

We need to explore to whom is a duty of confidentiality owed and to what does the duty apply? Are there any exceptions to the duty (such as where abuse of children) and who can impose sanctions (professional organisations) and how effective really are the latter? A moot point is how long should the duty last – how long is reasonable?

Also, both the Official Secrets Act and the Data Protection Act have to be complied with in the UK in certain situations such as where there is extremely sensitive information and as regards record keeping. Who is covered by these enactments?

Keywords: *confidentiality, duty, exceptions, interpreters, translators, disclosure, non-disclosure agreements, disclaimer, data protection, Official Secrets Act, best practice, Professional Code of Guidance*

Jasna Rodeš: Main Aspects of Risk Assessment in Translation Profession

The presentation aims to provide an overview of the potential manifestation of violence within the specific working environment of court interpreters. In everyday practice in particular working conditions, such as interpretation and translation for the police, at courts, prosecutor's office, in prisons, asylum centres and similar, court interpreters and legal translators are often faced with various aspects and numerous potential forms of escalation of violence. So far, these forms of threats of violence have neither been systematically investigated, nor clearly articulated in the minds of experts or clients. Usually, expert surveys with regard to the translation profession are primarily focused on techniques and quality of translation, whereas the risks of the profession are generally not perceived as an area worth receiving special attention. Based on many years of experience, the author has designed a comparative survey and drafted a specific questionnaire in order to collect the initial information on possible risks and threats of violence in the profession. The questionnaire is drafted in Croatian and English. The presentation will contain preliminary survey findings collected in Croatia during 2013 and the first preliminary results of the international survey conducted in various EU member states. The research will help define an overall degree of potentially dangerous working conditions for court interpreters and legal translators, i.e. to which extent an unexpected escalation of violence can occur in translation practice. Furthermore, the scientific approach to this phenomenon could enhance discussions on the necessity of setting up an appropriate legal framework and the introduction of a specific training system in order to achieve a higher level of safety at work and protection against risks of violence in the field of court interpretation.

Keywords: *risk of profession, potentially dangerous working conditions, unexpected escalation of violence within the working context*